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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,376	12/13/1999	Christian Wettergren	P4718US01	2409

466 7590 07/31/2003

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EXAMINER

ZIA, MOSSADEQ

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 07/31/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/460,376

Applicant(s)

WETTERGREN, CHRISTIAN

Examiner

Mossadeq Zia

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/22/2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1, 4 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6, and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,933,498, Schneck et al.

- In regards to claim 1, Schneck discloses a method for executing a security critical activity in a security device, wherein the security critical activity is executed with user involvement, comprising the steps of
 - i) starting execution of an action of a security critical activity (see col. 17, lines 54-59),
 - ii) checking if this action, under the present situation, can be handled by a proxy letter (rules) or if it shall be handled by a user, and if the action can be granted by either the proxy letter or the user (see col. 19, lines 45-49 and col. 19, line 64, and col. 20 lines 1-3),
 - iii) continuing and ending the execution of the action, and (see col. 20, lines 17-18)

iv) repeating steps i)-iii) until all the actions of the security critical activity have been executed or else (see col. 20, lines 35-37)

v) stop the execution of the security critical activity (see col. 19, lines 3-5 and col. 20, lines 35-37).

- In regards to claim 2, Schneck discloses method according to claim 1, further comprising the step of, in the proxy letter, define under which situation or situations each proxy letter is allowed to handle actions (see col. 20, lines 16-24).
- In regards to claim 3, Schneck discloses method according to claim 2, wherein the definition in the proxy letter defines under what situations the proxy letter is allowed to grant actions (see col. 20, lines 16-24).
- In regards to claim 4, Schneck discloses method according to claim 2, wherein the definition on the proxy letter further defines under what situation the proxy letter is allowed to prevent actions from being executed (see col. 20, lines 16-24).
- In regards to claim 5, Schneck discloses method according to claim 1, wherein the step of checking if the situation/action can be granted further comprises the steps of

Reading the proxy letter and see if any other letter is allowed to grant the situation/action and if not (see col. 19, lines 60-63),

Request the user to grant the action (see col. 19, lines 63-65).

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- In regards to claim 6, Schneck discloses method according to claim 5, further comprising the step of checking if any proxy letter is allowed to prevent action/situation from being executed and stop executing if there is such an action/method (see col. 20, lines 26-32).
- In regards to claim 8, Schneck discloses method according to claim 1, wherein the step of ending the execution of the action comprises the step of logging if the proxy letter or the user granted the situation/action (see col. 18, lines 16-18).
- In regards to claim 9, Schneck discloses method according to claim 3, wherein the definition of situation/actions, which the proxy letter is allowed to grant, comprises only the definition of less security critical actions (see col. 18, lines 57-59).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,933,498, Schneck et al in view of U.S. Patent Application Publication No. 2001/0014839 A1, BELANGER et al.

- In regards to claim 7, Schneck discloses method according to claim 5, wherein the step of requesting the user to grant the action further comprises the steps of asking the user to grant action (see col. 19, lines 37-45), but lacks a step for waiting a predetermined time to receive a reply granting the action.

Belanger teaches that the "operating system" or a program also may have security features, including but not limited to support for digital signatures, encryption, and password protection, as well as a time out feature to prevent access to the user's (sensitive) information if the user has not exited the service or taken any other action for an extended period of time (see Belanger, page 4, paragraph 0031). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention that one would be motivated to modify Schneck as per teaching of Belanger in order to yield a process to prevent unauthorized user access (see Belanger, page 3 paragraph 0027).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mossadeq Zia whose telephone number is (703)305-8425. The examiner can normally be reached on 8:30 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on (703)308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-8360 for regular communications and (703)305-8360 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-3900.

mz
July 24, 2003

Matthew L. Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2134